

REMARKS/ARGUMENTS

Favorable reconsideration of this application is requested.

Claims 7- 9, 11-24 and 26-42 remain in the case.

Claims 30-42 stand allowed.

Claims 11, 12, 20 and 23-25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

It is submitted that in view of the amendment to Claim 7, limiting it to the allowable embodiments of Claims 11 and 12, and of Claim 19 incorporating therein the limitation of allowable Claim 25, all of the claims in the case now define a patentable invention.

Claims 7, 9, 10, 14-19, 21, 22 and 26-29 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the European patent in view Suzuki et al.

Claims 7, 10, 14 and 16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Shintani et al. in view of Suzuki et al. and Ohta et al.

Claims 7, 8, 10, 13, 14, and 16 to 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Tsutsumi et al. in view of Suzuki et al. and Ohta et al.

It is submitted that in view of the amendment to the claims, all of these rejections still adhered to by the Examiner have been obviated, the claims having been limited to the embodiment considered allowable by the Examiner.

Further, and in any event, the asserted "equivalence" and "interchangeability" of malonic acid with acetic acid, asserted by the Examiner, stands rebutted by the comparative evidence in the case. Note the results set forth in Table 1 at page 34 of the specification reproduced below, demonstrating superior results for the water-based ink composition as claimed as compared to when aqueous acetic acid was added in place of aqueous malonic

Application No. 09/900,172  
Reply to Office Action of July 24, 2003

acid, particularly with regard to printed density. Such superior results, in any event, rebut any possible *prima facie* case engendered by the references.

	Printed Density	Discharging Ability	Water Resistance	High Lighter-Fastness	Rubbing Resistance
Ex. 1	1.50	○	○	○	○
Ex. 2	1.49	○	○	○	○
Ex. 3	1.47	○	○	○	○
Ex. 4	1.46	○	◎	◎	◎
Ex. 5	1.46	◎	○	○	○
Ex. 6	1.46	○	○	○	◎
Comp. Ex. 1	1.23	○	○	○	○

Accordingly, withdrawal of the rejection of the claims under 35 U.S.C. § 103 is requested.

It is submitted that all of the claims in the case now define a patentable invention.

Their allowance is solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



22850

  
Norman F. Oblon  
Attorney of Record  
Registration No. 24,618

Tel: (703) 413-3000  
Fax: (703) 413 -2220

Samuel H. Blech  
Registration No. 32,082